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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/748,105

12/31/2003

Seung-Nyung Chung

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STAAS & HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

EXAMINER

VO, HUYEN X

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/748,105	<b>Applicant(s)</b> CHUNG ET AL.	
	<b>Examiner</b> HUYEN X. VO	<b>Art Unit</b> 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,8,12,14,16,17 and 26 is/are rejected.
- 7) ☒ Claim(s) 2,5-7,9-11,13,15,18-25 and 27-29 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/31/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Previous office action has been vacated in favor of a new non-final office action in view of Yoshizawa (US Patent Publication No. 2003/0191629). Allowable claims in previous office action are now withdrawn.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 12, 14, 16-17, 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshizawa (US Patent Publication No. 2003/0191629).

4. Regarding claim 1, Yoshizawa discloses a speech recognition method comprising:

inputting speech uttered by a user (*step ST21 in figure 2*);

recognizing the input speech and displaying a list of a predetermined number of alternative words including a first alternative word to be recognized in an order of similarity (*step ST22 in figure 2*); and

determining the first alternative word that a cursor currently indicates as a final, recognized word if a user selection has not been changed within a predetermined standby time (*steps ST23-ST26 in figure 2; also referring to sections 146-150, page 7; selecting a first candidate if not action by the user within a predetermined standby time*).

5. Regarding claim 14, Yoshizawa further discloses a computer-readable recording medium structure comprising processing instructions to control a processor to execute a speech recognition method, the method comprising:

recognizing speech uttered by a user and displaying a list of alternative words including a first alternative word, derived from the recognition of the speech in a predetermined order (*steps ST21-22 in figure 2*); and

determining whether a user selection from the list of alternative words has been changed within a predetermined standby time and determining the first alternative word on the list of alternative words that a cursor currently indicates, as the final, recognized word, if the user selection has not been changed (*steps ST23-ST26 in figure 2; also referring to sections 146-150, page 7; selecting a first candidate if not action by the user within a predetermined standby time; otherwise use the user's selection*).

6. Regarding claim 17, Yoshizawa further discloses a speech recognition apparatus comprising:

a speech input unit that inputs speech uttered by a user (*step ST21 in figure 2*);

a speech recognizer that recognizes the speech input from the speech input unit and creates a list of alternative words including a first alternative word, to be recognized in an order of similarity (*step ST22 in figure 2*); and

a post-processor that determines the first alternative word that a cursor currently indicates as a final, recognized word, if a user selection from a list of the alternative words has not been changed within a predetermined standby time (*steps ST23-ST26 in figure 2; also referring to sections 146-150, page 7; selecting a first candidate if not action by the user within a predetermined standby time; otherwise use the user's selection*).

7. Regarding claim 26, Yoshizawa further discloses a speech recognition method comprising:

displaying a list of alternative words, including a first alternative word, resulting from speech recognition (*step ST22 in figure 2*);

determining whether an initial standby time has elapsed (*step ST23 in figure 2*);  
and

determining the first alternative word as the final, recognized word if a user has not selected another alternative word from the list of alternative words after the predetermined standby time has elapsed, wherein the list of alternative words is continuously updated and arranged in a predetermined order by computing a number of times the first alternative word and the final recognized word match (*steps ST23-ST26 in figure 2; also referring to sections 146-150, page 7; selecting a first candidate if not*

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*action by the user within a predetermined standby time; otherwise use the user's selection).*

8. Regarding claims 3 and 16, Yoshizawa further discloses determining another alternative word from the list of the predetermined number of alternative words that is selected by the user as the final, recognized word, if the user's selection is changed within the standby time (*referring to the operation of figure 2; steps ST23-24*).

9. Regarding claim 12, Yoshizawa further discloses the speech recognition method of claim 1, wherein the standby time is equally assigned to all of the alternative words on the list of alternative words (*step ST23 in figure 2; predetermined time is fixed*).

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshizawa in view of Huang et al. (USPN 5829000).

12. Regarding claims 4 and 20, Yoshizawa fails to specifically disclose updating erroneous word patterns using the one of the alternative words and the final, recognized

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word resulting from the recognition of the speech; and adjusting the order of the list of the predetermined number of alternative words using the erroneous word patterns.

However, Huang teaches updating erroneous word patterns using the one of the alternative words and the final, recognized word resulting from the recognition of the speech (*referring to figure 5A; steps 509-510*); and adjusting the order of the list of the predetermined number of alternative words using the erroneous word patterns (*referring to figure 5A; steps 509-510 and col. 5, lines 54-65; training the model including probability model*).

Since Yoshizawa and Huang et al. are analogous art because they are from the same field of endeavor, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Yoshizawa by incorporating the teaching of Huang et al. in order to improve speech recognition accuracy in subsequent use.

13. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshizawa in view of official notice.

14. Regarding claim 8, Yoshizawa fails to specifically disclose the speech recognition method of claim 1, further comprising adjusting the standby time according to user dexterity. However, examiner takes official notice that one of ordinary skill in the art at the time of invention would readily realize that adjustable standby time according to user dexterity or experience is important. One common advantage of this adjustable standby time according to user dexterity or experience is to improve user experience.

***Allowable Subject Matter***

15. Claims 1, 3-4, 8, 12, 14, 16-17, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUYEN X. VO whose telephone number is (571)272-7631. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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/Huyen X Vo/  
Primary Examiner, Art Unit 2626

9/26/2008

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